

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAWRENCE WILLIAMS,

Plaintiff,

No. CIV S-03-2518 FCD DAD P

vs.

COUNTY OF SACRAMENTO
SHERIFF'S DEPARTMENT, et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On May 3, 2006, plaintiff sent a letter to the Clerk of the Court requesting subpoena duces tecum forms in order to depose incarcerated witnesses. Plaintiff's request will be denied. Plaintiff is advised that pursuant to Rule 30 of the Federal Rules of Civil Procedure, plaintiff must obtain leave of court to depose such a witness. Therefore, plaintiff should file a motion which is served on defendants' counsel, identify the witness he seeks to depose, summarize the information he seeks from the witness, and explain how the witness' testimony would be relevant and reliable.

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1 On May 3, 2006, plaintiff filed a request for leave to serve defendants with
2 additional interrogatories, and the proposed interrogatories. The court will order defendants to
3 file an opposition or notice of non-opposition to plaintiff's motion.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Plaintiff's May 3, 2006 request for subpoena duces tecum forms is denied; and
- 6 2. Within thirty days from the service of this order, defendants shall file their
7 opposition or notice of non-opposition to plaintiff's May 3, 2006 request to serve defendants
8 with additional interrogatories.

9 DATED: May 10, 2006.

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12 DALE A. DROZD
13 UNITED STATES MAGISTRATE JUDGE

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